

REMARKS

By this amendment, claim 21 has been amended, and claims 1-8 have been canceled without prejudice or disclaimer in favor of presentation of this subject matter in a divisional application. Accordingly, claims 9-30 are currently pending in the application, of which claims 9 and 21 are independent claims. Applicants appreciate the indication that claim 14 contains allowable subject matter.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification. Support for the amendment(s) may be found at least at page 6, lines 15 through page 7, line 1 of the specification.

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Interview Summary

Applicants thank the Examiner for the courtesies extended during the interview of September 5, 2006. During the interview, the Examiner indicated that claims 9-20, as amended in Applicants' reply of July 31, 2006, were allowable and recommended amending claims 21-30 with the allowable subject matter of claim 9.

Allowable Subject Matter

As noted in Applicants' Reply filed July 31, 2006, Suzuki fails to teach or suggest each and every claimed feature of the present invention as disclosed in claim 9, more particularly, Suzuki fails to teach or suggest the positive active material composition as disclosed in the

present invention. Hence, Applicants respectfully submit that claim 9 and all claims that depend therefrom are in condition for allowance.

While claim 21 has been amended to incorporate allowable subject matter as recommended by the Examiner during the Interview of September 5, 2006, Applicants do not believe that the features recited in claim 21 are unpatentable over the art of record. Rather, Applicants have amended claim 21 for the sole purpose of expediting prosecution of this application. Hence, Applicants do not intend to surrender subject matter of un-amended claim 21, and reserve the right to file un-amended claim 21 in a continuation application.

Applicants respectfully submit that Suzuki fails to teach or suggest each and every claimed feature of amended claim 21 for the aforementioned reasons noted for claim 9. Accordingly, Applicants respectfully submit that amended claim 21 and all claims that depend therefrom are in condition for allowance.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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